

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ANTHONY FAIRLEY, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 )  
 )  
 NORTH CAROLINA DEPARTMENT )  
 OF TRANSPORTATION )  
 )  
 Defendant. )

**JUDGMENT**

No. 5:09-CV-406-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of Defendant's Motion for Summary Judgment.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered on April 11, 2011, that Defendant's Motion for Summary Judgment is granted. The Plaintiff shall have and recover nothing from this action.

**This Judgment Filed and Entered on April 11, 2011, and Copies To:**

Keith A. Bishop (via CM/ECF Notice of Electronic Filing)  
Michael C. Byrne (via CM/ECF Notice of Electronic Filing)  
Elizabeth N. Strickland (via CM/ECF Notice of Electronic Filing)  
Tina A. Krasner (via CM/ECF Notice of Electronic Filing)

April 11, 2011

DENNIS P. IAVARONE, CLERK

/s/ Susan W. Tripp  
(By) Susan W. Tripp, Deputy Clerk